

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL CASE NO. 3:05cv487

**SECURITIES AND EXCHANGE)
COMMISSION,)**

Plaintiff,)

vs.)

ORDER

**VINCENT A. LENARCIC, JR.,)
NEW VISION INVESTMENT)
FUNDS, LLC, and QMA)
INVESTMENT MANAGEMENT)
LLC,)**

Defendants.)

THIS MATTER came before the Court by transfer on September 19, 2007.

On March 21, 2007, the parties filed status reports with the Court, advising of the status of this case for the period after the entry of default was set aside and the case reopened by Order of the Court on April 17, 2006. The parties report that they engaged in preliminary settlement negotiations during May and June, 2006. However, these negotiations

were suspended pending the sentencing of the defendant Vincent A. Lenarcic, Jr. in the related criminal case, United States v. Vincent A. Lenarcic, Jr., No. 3:06cr155 (W.D.N.C.). The parties advise the Court that they anticipate that this matter will be resolved by settlement once the sentence in the related criminal matter has been entered. The plaintiff Securities and Exchange Commission ("SEC") further advises that it will take approximately 120 days after written settlement offers are received for the SEC to calendar, hear, and consider whether it will accept the defendants' settlement offers.

The Court takes judicial notice that the sentencing of Vincent A. Lenarcic, Jr. occurred on July 11, 2007, before the Honorable Robert J. Conrad, Jr., United States District Judge, and that a Judgment was entered on July 26, 2007. [No. 3:06cr155, Doc. 8]. Accordingly, **IT IS HEREBY ORDERED:**

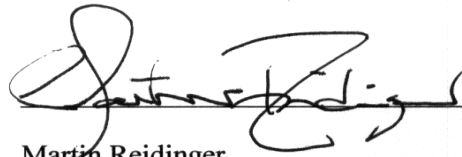
- (1) That the parties shall file a status report with the Court within ten (10) days of the entry of this Order advising whether this case has been settled or otherwise resolved; and
- (2) In the event that the parties have been unable to resolve the matter, the defendants shall file answers to the plaintiff's

complaint on or before **November 12, 2007**; and

(3) The parties should proceed with the Initial Attorneys Conference and file certification thereof with the Court on or before **November 12, 2007**.

IT IS SO ORDERED.

Signed: September 26, 2007


Martin Reidinger
United States District Judge

